

U.S. Environmental Protection Agency, Region 6
Enforcement Actions Closed or Concluded in the State of Texas
2nd Quarter of Fiscal Year 2000
(January 1, 2000 - March 31, 2000)

| # | State | Statute | Facility Name | Date Final | Type of Action ¹ | Penalty Amount ² | SEP ³ |
|----|-------|--------------------------|--|------------|-----------------------------|-----------------------------|------------------|
| 1 | TX | CWA 301 | 59 Auto Parts Inc. | 02/15/00 | CACO | \$1,000 | |
| 2 | TX | CWA 301 | Alamo, The City of | 02/29/00 | AO | | |
| 3 | TX | CWA 301 | Alfhunes Ray Raska | 03/27/00 | CACO | \$1,175 | |
| 4 | TX | CWA 301 | Ali A. Valamagham | 03/27/00 | CACO | \$2,415 | |
| 5 | TX | CWA 301 | All Star Auto & Truck Parts | 02/15/00 | CACO | \$1,360 | |
| 6 | TX | SDWA 1412 | Amistad Park Water System | 01/13/00 | AO | | |
| 7 | TX | CWA 301 | Asherton, The City of | 02/29/00 | AO | | |
| 8 | TX | CWA 301 | Athens, The City of | 01/20/00 | AO | | |
| 9 | TX | CERCLA 106 CERCLA 122 | Aurum Etching Superfund Site | 03/16/00 | CACO | \$0 | |
| 10 | TX | CWA 405 | Austin, City of | 03/28/00 | AO | | |
| 11 | TX | CWA 405 | Austin, City of | 03/28/00 | AO | | |
| 12 | TX | CWA 405 | Austin, City of | 03/28/00 | AO | | |
| 13 | TX | CWA 301 | B. Morris Construction Co. | 03/27/00 | AO | | |
| 14 | TX | CWA 301 | Benito R., Garza - Robstown Auto Parts | 03/27/00 | CACO | \$1,625 | |
| 15 | TX | CWA 405 | Big Sandy , The City of | 02/22/00 | AO | | |
| 16 | TX | TSCA 203 | Blessed Sacrament Academy Charter | 03/02/00 | CACO | \$3,740 | |
| 17 | TX | CWA 301 | Bob Paul Parker, Sr., Freeway Auto | 03/27/00 | CACO | \$1,750 | |
| 18 | TX | CWA 301 | Bridlewood Ltd. | 02/11/00 | AO | | |
| 19 | TX | TSCA 15 | Carrollton Christian Academy | 03/16/00 | CACO | \$5,500 | |
| 20 | TX | CWA 405 | Carthage, City of | 03/28/00 | AO | | |
| 21 | TX | CWA 301 | Charles Haynes - Freds Auto Sales | 02/15/00 | CACO | \$1,825 | |
| 22 | TX | CWA 301 | Charles L. Kettle - C J's | 02/15/00 | CACO | \$1,015 | |
| 23 | TX | CWA 311B3 | Chevron U.S.A. Production Company | 01/22/00 | CACO | \$500 | |
| 24 | TX | CWA 311B3 | Chevron U.S.A. Production Company | 02/29/00 | CACO | \$5,000 | |
| 25 | TX | CWA 311 | Continental Operating Company | 01/22/00 | CACO | \$650 | |

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| 26 | TX | CWA 301 | Daniel R. Shine | 03/21/00 | AO | | |
| 27 | TX | CWA 301 | Darkhorse Wheel & Traction Corp. | 02/15/00 | CACO | \$1,630 | |
| 28 | TX | CWA 301 | Denton, City of | 02/22/00 | AO | | |
| 29 | TX | CWA 301 | Diboll, City of | 03/15/00 | AO | | |
| 30 | TX | CWA 301 | Doug's Hwy 90 Auto Salvage | 02/15/00 | CACO | \$4,000 | |
| 31 | TX | CAA 608 | Erath Recycling Company, Inc. | 01/27/00 | CACO | \$3,000 | |
| 32 | TX | CWA 301 | Ernesto Acuna - Acuna's Auto Salvage | 03/27/00 | CACO | \$1,300 | |
| 33 | TX | CWA 311B3 | Exxon Company, U.S.A. | 01/22/00 | CACO | \$500 | |
| 34 | TX | CWA 301 | George Rodchester | 01/25/00 | AO | | |
| 35 | TX | CWA 301 | Gilberto Carmona - Alamo Used Auto | 02/15/00 | CACO | \$1,250 | |
| 36 | TX | CWA 311 | Global Link Technologies | 01/13/00 | CACO | \$500 | |
| 37 | TX | CWA 301 | Guadalupe Cepeda Casarez | 03/27/00 | CACO | \$1,445 | |
| 38 | TX | CWA 311B3 | Gulfmark Energy, Inc. | 01/04/00 | CACO | \$4,500 | |
| 39 | TX | CWA 301 | Harlingen, The City of | 02/22/00 | AO | | |
| 40 | TX | CWA 301 | Henderson, The City of | 03/15/00 | AO | | |
| 41 | TX | CWA 405 | Henderson, Texas, The City of | 02/11/00 | AO | | |
| 42 | TX | CWA 301 | HM 456, Ltd., and Steve Bartholomew | 03/27/00 | AO | | |
| 43 | TX | CWA 301 | Ignacio Nunez - Nunez Used Auto Parts | 03/27/00 | CACO | \$1,175 | |
| 44 | TX | CWA 301 | Jack Horton - C C Auto Parts | 03/27/00 | CACO | \$1,000 | |
| 45 | TX | RCRA 3005A CWA 301 | James W. Hall - Hall Plating Co. | 02/28/00 | CACO | \$18,580 | |
| 46 | TX | CWA 301 | John D. Poole - Huntsville Auto Salvage | 03/27/00 | CACO | \$1,500 | |
| 47 | TX | CWA 405 | Kingsville, The City of | 02/22/00 | AO | | |
| 48 | TX | CWA 311 | Koch Industries, Inc.* | 03/07/00 | CJ | \$15,000,000 | \$2,500,000 |
| 49 | TX | CWA 301 | Lee Ray Sinegal - Lee Ray's Auto Salv. | 02/15/00 | CACO | \$1,000 | |
| 50 | TX | CWA 301 | Loenel Cepeda - Cepedas Auto Salvage | 03/27/00 | CACO | \$1,650 | |
| 51 | TX | CWA 301 | Longview, City of | 02/22/00 | AO | | |
| 52 | TX | CWA 405 | Lumberton Municipal Utility District | 03/28/00 | AO | | |
| 53 | TX | CWA 405 | Lumberton Municipal Utility District | 03/28/00 | AO | | |
| 54 | TX | CWA 301 | Mario's Auto Parts, Inc. | 03/27/00 | CACO | \$2,300 | |
| 55 | TX | CWA 301 | Marshall, The City of | 02/22/00 | AO | | |
| 56 | TX | CWA 405 | Mayde Creek Municipal Utility District | 03/28/00 | AO | | |
| 57 | TX | CWA 301 | McCollister Enterprises, Inc. | 02/15/00 | CACO | \$1,375 | |

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| 58 | TX | CWA 301 | MD Partners | 02/11/00 | AO | | |
| 59 | TX | CWA 311J CWA 311B3 | Merit Energy Company, Inc. | 01/31/00 | CACO | \$1,000 | |
| 60 | TX | CWA 301 | Michael W. Dvorak - Mid-Coast Auto | 03/27/00 | CACO | \$3,680 | |
| 61 | TX | CWA 311B3 | Mobil Exploration and Producing, Inc. | 01/22/00 | CACO | \$3,500 | |
| 62 | TX | TSCA 8A | Occidental Chemical Corporation | 03/31/00 | AO | | |
| 63 | TX | TSCA 153B | Occidental Chemical Corporation | 03/31/00 | CACO | \$1,870 | |
| 64 | TX | CWA 301 | Patrick E. Sturgeon - 105 Auto & Truck | 02/15/00 | CACO | \$1,180 | |
| 65 | TX | RCRA 3005 | Philip Reclamation Services | 03/28/00 | CACO | \$65,670 | \$275,616 |
| 66 | TX | RCRA 3007 | Pioneer Engineering Chemical Co. | 03/31/00 | CACO | \$8,800 | |
| 67 | TX | CWA 301 | Ramino Reyna -Reyna's Wrecking Yard | 02/15/00 | CACO | \$1,105 | |
| 68 | TX | CWA 301 | Ransom Industries | 02/29/00 | AO | | |
| 69 | TX | CWA 301 | Raymond I. Watson | 02/15/00 | CACO | \$1,000 | |
| 70 | TX | CWA 301 | Ricardo Gonzalez - Gonzalez Truck | 02/15/00 | CACO | \$1,675 | |
| 71 | TX | CWA 301 | Rolando Martinez - Hwy 44 Auto Parts | 02/15/00 | CACO | \$1,250 | |
| 72 | TX | CWA 301 | San Benito, City of | 02/22/00 | AO | | |
| 73 | TX | CWA 301 | Seafood Supply Company | 02/11/00 | AO | | |
| 74 | TX | TSCA 15 | Ser-Ninos Carter Schools | 03/16/00 | CACO | \$2,640 | |
| 75 | TX | CWA 301 | Sergio G. Gonzalez - Sergio's Auto Sal. | 03/27/00 | CACO | \$1,200 | |
| 76 | TX | CWA 301 | Seyed Mohamad Mosavifard | 02/15/00 | CACO | \$1,320 | |
| 77 | TX | CWA 301 | Southside Place, City of | 02/22/00 | AO | | |
| 78 | TX | CWA 301 | Southwestern Electric Power Company | 03/01/00 | CACO | \$41,500 | |
| 79 | TX | TSCA 153B | Sterling Chemicals, Inc. | 03/15/00 | CACO | \$20,513 | |
| 80 | TX | CWA 301 | Suburban Truck & Van Inc. | 03/27/00 | CACO | \$1,735 | |
| 81 | TX | CERCLA 103 | Sunbelt Pools | 02/28/00 | CACO | \$500 | \$5,000 |
| 82 | TX | CWA 301 | Texas Drydock, Inc. | 02/22/00 | AO | | |
| 83 | TX | CWA 301 | Texas Department of Transportation | 02/22/00 | AO | | |
| 84 | TX | CAA 110 CAA 111 CAA 112 CAA 114 | U.S. Department of Treasury | 01/19/00 | CACO | \$14,000 | \$231,000 |
| 85 | TX | CAA 110 CAA 111E | U.S. Naval Air Station | 02/11/00 | CACO | \$5,000 | |
| 86 | TX | CWA 301 | University of Texas Systems | 01/25/00 | CACO | \$45,000 | |

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| 87 | TX | CWA 301 | Valero Refining | 03/28/00 | AO | | |
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1. AO = Administrative Order closed after compliance with the requirements of the order; APO = Administrative Penalty Order requiring compliance with environmental regulations and assessing a penalty; CACO = Consent Agreement and Order requiring compliance with environmental regulations and/or assessing a penalty; CJ = Civil Judicial Case with the Department of Justice
2. All penalties are Final
3. SEP = Supplemental Environmental Project

* The case for Koch Industries is a national case. The amounts reflected are the total amounts for all facilities nationally. In Region 6, this case includes facilities in Texas, Louisiana, and Oklahoma.

Narrative Summary:

Koch Judicial Settlement: The case against Koch Industries involved 315 oil spills over several years in Kansas, Oklahoma, Texas and Louisiana. Koch, EPA/DOJ and the State of Texas agreed to a consent decree which became effective on March 7, 2000, that provided for Koch to pay a civil penalty of \$35 million to the plaintiffs, as well as implement several major pipe line system improvement programs for the affected Koch pipe lines. Of the \$35 million penalty, \$15 million was paid to the State of Texas, and \$15 million was paid to the Environmental Protection Agency. In addition, \$2.5 million was to be spent by Koch on environmental projects approved by EPA and another \$2.5 million on projects approved by the State of Texas. There are two environmental projects that must be approved by EPA: a \$1.0 million Pipeline Safety Education project and a \$1.5 million project for Koch to purchase and maintain properties set aside for wetlands or wildlife habitat. Koch will spend another \$2.5 million on four projects in Texas. Under the injunctive relief part of the consent decree, Koch must develop and implement programs that will affect over 2,565 miles of Koch pipelines that address existing pipe line conditions, leak detection and prevention, maintenance and inspections and training for company personnel. All of the injunctive relief programs must meet or exceed sound industry practices.

U.S. Department of the Treasury, Bureau of Engraving & Printing, Ft. Worth, TX: EPA Region 6 filed a Consent Agreement and Final Order (CAFO) on January 18, 2000, against the U. S. Department of the Treasury, Bureau of Engraving & Printing (BEP) in settlement of a administrative action filed against BEP's Western Currency Facility in Ft. Worth, TX. The Complaint alleged that BEP violated regulations concerning the state and federal air regulations including the Texas State Implementation Plan, New Source Performance Standards, and National Emission Standards for Hazardous Air Pollutants during the operation of its Western Currency Facility. In the CAFO, BEP agreed to pay a cash penalty of \$14,000 and undertake a supplemental environmental project (SEP) worth \$231,000 at the Western Currency Facility. The SEP will further prevent or reduce pollution at the Western Currency Facility beyond what is required by Federal regulations.

Phillip Reclamation Services, Houston, TX: On March 28, 2000, a Consent Agreement and Final Order (CAFO) was filed in the matter of Phillips Reclamation Services (Phillip), to settle proceedings that were initiated by a Complaint filed on September 22, 1999. It is alleged in the Complaint that Phillip failed to comply with Subpart CC of 40 C.F.R. 265 (storage, treatment, and disposal requirements) of RCRA and the regulations promulgated thereunder. The Complaint assessed a civil penalty of \$267,630. For settlement purposes, the penalty was reduced to \$262,680. Prior to the filing of the CAFO, the Respondent complied with the requirements of Subpart CC regulations as required by the Tex. Admin. Code and the C.F.R. Additionally, the Respondent agreed to pay a civil penalty in the amount of \$65,670, and to perform a Supplemental Environmental project at a cost of \$275,616.

Pioneer Engineering Chemical Company (PENCCO), Corpus Christi, TX: A Consent Agreement and Final Order was executed on March 31, 2000, for PENCCO's failure to respond to a 3007- information request. The agreed penalty amount was \$8,800. PENCCO alleged that they did not handle hazardous waste; therefore, they were not obligated to respond. During the administrative hearing, the Judge ruled that the Environmental Protection Agency has the right to submit a request for information to determine environmental compliance and PENCCO is required by law to answer it. EPA will be working with PENCCO in responding to the questions in the request.